

(202) 628-0844

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)

Attorney Docket: 622/40901C2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a X continuation or _____
divisional application under 37 C.F.R. 1.53(b), of pending prior
application:

Serial No. 08/962,776
Filed on November 3, 1997
Of Roman SCHERTLER

Entitled: A VACUUM PROCESS APPARATUS
Examiner: I. ROSENBAUM
Group: 3726
Batch No: _____

- X 1. Accompanying this order is a true copy of the prior reissue application as originally filed.
Total pages: 14
- X 2. Formal drawings are being filed herewith consisting of 5 sheets, depicting Figures 1-9.
- X 3. Declaration and Power of Attorney:
a. Newly executed (original or copy)
b. X Copy from prior application
i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- X 4. Incorporation by Reference:
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- X 5. Cancel original claims 1-34.

#2a
Rosenblatt
n/m
4-18-01

6. Small entity status:

- a. A small entity statement is enclosed
- b. A statement of small entity status (copy attached) was filed on _____ in the prior application and status as a small entity is still proper and desired.
- c. Is no longer claimed

X 7. The filing fee is calculated below:

CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee	\$345	\$690
Total Claims <u>38</u> - 20 = <u>18</u> x 9 = \$_____ 18 = \$324.00		
Ind. Claims <u>7</u> - 3 = <u>4</u> x 39 = \$_____ 78 = \$312.00		
<u> </u> Multiple Dependent Claims	+ 130 = \$_____ 260 = \$_____	
	Total	\$_____ \$1,326.00

 8. Please charge my Deposit Account No. 05-1323 (Docket #_____) in the amount of \$_____.

X 9. A check in the amount of \$1,326.00 to cover the filing fee is enclosed.

X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #622/40901C2).

X 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 08/962,776, filed November 3, 1997, which is a continuation of Reissue Application Serial No. 08/530,778, filed September 19, 1995, which is a reissue of Application Serial No. 888,111, filed May 26, 1992 (patented September 21, 1993 as U.S. Patent No. 5,245,736).--

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X 12. Priority of Appln. No(s). 4117969, filed in Germany on 31 May 1991, is hereby claimed under 35 U.S.C. 119.

 13. A certified copy of each said priority document was filed in application Serial No. _____ on _____.

- X 14. The prior application is assigned of record to
Balzers Aktiengesellschaft.
- X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169; and Corinne M. Pouliquet, Reg. No. 35,753.
- X a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:

EVENSON, McKEOWN, EDWARDS
& LENAHAN, P.L.L.C.
1200 G Street, N.W.
Suite 700
Washington, DC 20005
- X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X 17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.

19. Other: _____

Respectfully submitted,

July 19, 2000


James F. McKeown
Registration No. 25,406

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